

Service Date: June 14, 1994

FINAL ORDER NO. 6309
DEPARTMENT OF PUBLIC SERVICE REGULATION
MONTANA PUBLIC SERVICE COMMISSION
1701 Prospect Avenue, P.O. Box 202601
Helena, Montana 59620-2601

IN THE MATTER OF **Intermountain**)
Produce Co., Inc., Bozeman, Montana,)
the application for a) Docket No. T-94.39.PCN
Montana Intrastate Certificate) Order No. 6309
of Public Convenience and Necessity.)

The Commission, having taken evidence and being fully advised in the premises,
makes the following findings, conclusions and order:

FINDINGS OF FACT

1. On April 25, 1994, Intermountain Produce Co., Inc., P.O. Box 2035,
Bozeman, MT 59771, filed an application with the Montana Public Service
Commission under Title 69, MCA, for a Certificate of Public Convenience and
Necessity authorizing transportation of the following:

Class C - Beverages between all points and places in
Broadwater, Cascade, Deer Lodge, Gallatin, Granite, Jefferson,
Lewis & Clark, Madison, Missoula, Park, Powell, Silver Bow,
Stillwater, Sweet Grass, and Yellowstone Counties.

Limitations: Transportation is restricted to that provided for
the accounts of Bronken's, Inc., Bozeman, Montana and
Cardinal Distributing Co., Bozeman, Montana and/or their
successors in interest.

2. In accordance with Section 69-23-321, MCA, as amended, this matter
was noticed to the public May 6, 1994. That notice said in pertinent part:

If no written protests are received by May 26, 1994, a hearing
may not be held and a final order may be issued in this Docket.
If a protest is received, a hearing will be scheduled. Individual
notice of the hearing will be given only to Protestants and
Applicant.

The application included affidavits of support.

3. No protests or responses of any kind were received.

4. The record of this application is available for inspection at the Public Service Commission Office, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana 59620-2601.

CONCLUSIONS OF LAW

1. The Montana Public Service Commission properly exercises jurisdiction over the parties and subject matter in this proceeding.

2. The Commission afforded all parties interested in this proceeding proper notice and an opportunity to participate.

3. Public Convenience and Necessity require a grant of the authority sought by the Applicant.

ORDER

NOW THEREFORE, at a session of the Public Service Commission, Department of Public Service Regulation of the State of Montana, held in its offices at 1701 Prospect Avenue, Helena, Montana, on the 6th day of June, 1994, there being present a quorum of Commissioners, there came regularly before the Commission for final action the matters and things in Docket No. T-94.39.PCN, and the Commission being fully advised in the premises;

IT IS ORDERED by the Commission that the application of **Intermountain Produce Co., Inc., Bozeman, Montana**, for a Certificate of Public Convenience and Necessity IS GRANTED to the following extent:

Class C - Beverages between all points and places in Broadwater, Cascade, Deer Lodge, Gallatin, Granite, Jefferson, Lewis & Clark, Madison, Missoula, Park, Powell, Silver Bow, Stillwater, Sweet Grass, and Yellowstone Counties.

Limitations: Transportation is restricted to that provided for the accounts of Bronken's, Inc., Bozeman, Montana and Cardinal Distributing Co., Bozeman, Montana and/or their successors in interest.

IT IS FURTHER ORDERED that a full, true and correct copy of this order be sent forthwith by first class mail to the applicant and all parties herein.

THE FOREGOING ORDER was adopted by the Department of Public Service Regulation of the State of Montana, Public Service Commission, IN OPEN SESSION at Helena, Montana, this 6th day of June, 1994, by a vote of 5 - 0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION.

BOB ANDERSON, Chairman

BOB ROWE, Vice Chairman

DAVE FISHER, Commissioner

NANCY McCaffree, Commissioner

DANNY OBERG, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

NOTE: Any interested party may request the Commission to reconsider this decision. A motion to reconsider must be filed within ten (10) days. See 38.2.4806, ARM.